

Application No.: 09/745,751
Amendment Rule 111 dated September 29, 2005
Reply to Office Action dated June 29, 2005
Attorney Docket No.: 3486-018

EXHIBIT I

Donald R. TANENBAUM, DDS, MPH



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/745,751 Confirmation No.: 1104
Applicant : HOCHMAN, Mark N.
Filed : December 21, 2000
TC/A.U. : 3763
Examiner : HAYES, Michael J.

Docket No. : 3486-018
Customer No. : 22440

DECLARATION UNDER 37CFR 1.132

I, Dominic Tanenbaum, DDS (← appropriate

degree), hereby make the following declaration in support of the above-named application:

1. I reside at (Westside Rd Great Neck NY 11020).

2. I am a licensed dentist and I have been practicing Dentistry for 23 years.

3. I have written and published many articles in the field of dentistry, including articles related to facial pain. I have also reviewed many articles in this field and I am frequent lecturer, having made presentations all over the world.

4. A copy of current Curriculum Vitae is attached providing more details of my background and expertise in the field of dentistry.

5. One problem in the field of dentistry and more particularly, during the injection of an anesthetic into a living tissue prior to performing dental procedures pertains to needle bending. As a needle is introduced through tissues to a preselected site for delivering an anesthetic, it frequently bends. This action causes discomfort in the patient and pain. In many instances, a patient either stiffens up, or, worse, tries to move involuntary away from the needle, or close his mouth, thereby causing even more discomfort.

6. Recently, Dr. Mark Hochman disclosed to me his invention, that solves the problem of needle bending. More specifically, Dr. Hochman has disclosed to me:

a method of injecting a drug into a patient through a needle having a lumen comprising the steps of:

advancing said needle into the tissue linearly along a longitudinal axis of the needle;

simultaneously rotating the needle along its longitudinal axis to reduce deflection of the needle; and

injecting the drug.

7. Initially, I had some doubts that this procedure would work. However, I have tried this technique at least 100 times on patients and I found that it is very effective in reducing needle bending and, subsequently, in reducing or eliminating patient discomfort and pain.

8. I found that for the procedure was effective as long as I kept the needle rotating to change the orientation of the bevel of the needle in somewhat continuous manner during the insertion, and that the total angle of rotation of the needle, or whether it was rotated only in a single direction, or back and forth, did not matter that much. I found that it was very easy for me to determine intuitively how much to rotate the needle from the reaction of the patient. More particularly, if I did not rotate the needle enough to prevent it from bending, the patient became uncomfortable as indicated by his body language and other indicia, including verbal communication from the patient, Because of this immediate voluntary or involuntary feedback from the patient, it was very easy to adjust the procedure to each patient as required.

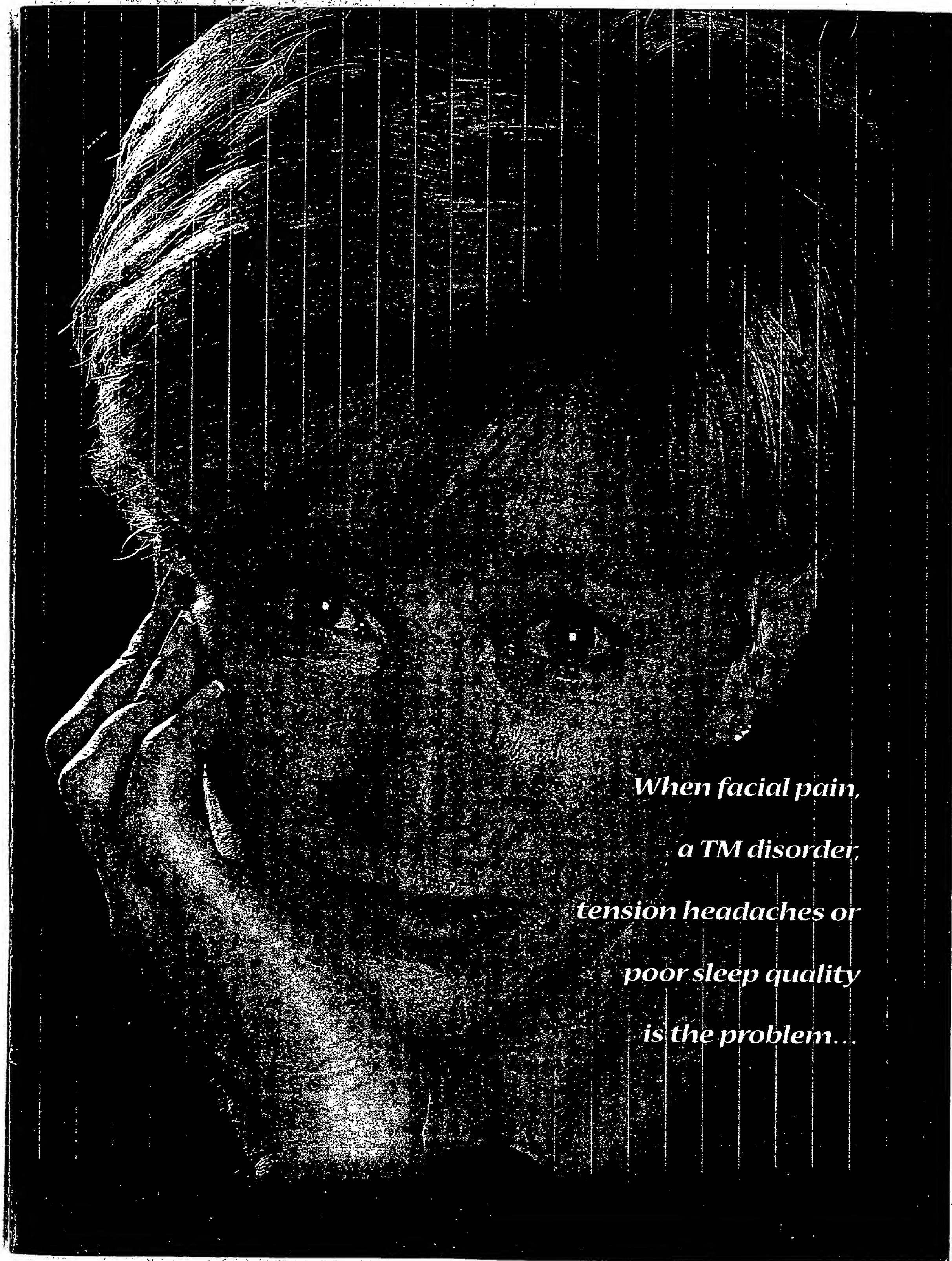
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Dr.

Date: 9/1/08

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*When facial pain,
a TM disorder,
tension headaches or
poor sleep quality
is the problem...*

Credentials that inspire trust

While attending Columbia University School of Dental and Oral Surgery in New York City, Dr. Tanenbaum envisioned having a practice that focused on orofacial pain and TMD. Since opening his doors over 20 years ago, he has achieved that goal. Throughout the years, Dr. Tanenbaum has watched this highly unique area of dentistry evolve and mature. His continual training and ongoing education have enhanced his knowledge and helped him stay on top of the latest diagnostic and treatment methods.

Dr. Tanenbaum holds several prominent positions, including Clinical Assistant Professor at the School of Dental Medicine at the State University of New York in Stony Brook and Section Head of the Division of Orofacial Pain/TMD in the Department of Dental Medicine at the Long Island Jewish Medical Center. He has also authored scientific articles and given lectures at medical grand rounds and to numerous dental societies and study clubs. Dr. Tanenbaum is an active member of some of the most respected organizations in his field, including the American Academy of Orofacial Pain, American Board of Orofacial Pain, American Headache Society, American Pain Society, New York Academy of Dentistry and American Dental Association.

Donald R.
Tanenbaum
DDS • MPH

Providing effective relief from
facial pain for over two decades

***Working closely
with referring physicians***

Treating orofacial pain and TMD effectively means taking into account all the aspects of your health. That's why Dr. Tanenbaum takes a multidisciplinary approach to your care. He will work closely with your doctor through consultations and continual updates about your treatment and your progress. This collaboration is essential in providing you with excellent, efficient care that meets your unique needs. Dr. Tanenbaum is trusted by medical specialists in nearly every discipline to care for their patients with orofacial pain and TMD. These include general dentists, orthodontists, endodontists, periodontists, oral surgeons, internists, neurologists, pediatricians, sleep therapists, ENT specialists and more.

***It starts with
a comprehensive exam***



Your care with Dr. Tanenbaum starts with an in-depth health history and discussion of your condition. He will then perform a comprehensive examination and take X-rays to help identify the source of your pain or dysfunction. Dr. Tanenbaum offers a variety of hands-on testing methods and will utilize only those that are appropriate to your unique condition. Once your exam is complete, Dr. Tanenbaum will discuss his findings with you and recommend a treatment plan designed for effective and long-lasting relief.

Muscle pain disorders

Muscle pain and dysfunction are characterized by discomfort or pain in the face, jaw, neck and shoulders. In many cases, functional activity or merely touching these areas can significantly increase the level the pain. Because muscle pain can be the result of medical problems such as thyroid disease, Lyme disease, fibromyalgia and sleep disorders — to name a few — it is important that you get it accurately diagnosed. Once diagnosed, Dr. Tanenbaum offers a variety of treatment options for muscle pain, including medication, injection therapy, posture modification, exercise, stress management and physical therapy. And should Dr. Tanenbaum's findings indicate a more serious medical problem, he will refer you to the appropriate specialist promptly.

Temporomandibular disorders

The temporomandibular joints in your jaw are unique structures that have some important responsibilities. Every time you open your mouth to talk, eat, smile or express yourself, you're using them. When something goes wrong with these joints, the pain can become overwhelming and make your life miserable. This is called a temporomandibular disorder (TMD), a chronic condition that affects 40 million Americans. Many factors lead to TMD, including facial trauma, stress, grinding of the teeth, muscular imbalances, ligament damage and degenerative joint disease. While everyone with TMD experiences different symptoms, some of the more common ones include jaw pain, facial pain, popping, clicking and locking in the TM joints, and headaches.

Dr. Tanenbaum offers a number of highly effective nonsurgical therapies to manage or eliminate TMD, and he will develop a treatment plan based upon the severity of your condition. Some of these therapies include customized oral bite plates, muscle injections, medication, dietary modifications and home exercises.

Nerve pain disorders



Pain of nerve origin, known as neuropathic pain, can manifest as a constant condition or appear in brief episodes without warning. Classic symptoms include burning, radiating and electric shock-like pain on areas of the face and are often triggered by simple daily functions such as eating, brushing the teeth, shaving or putting on makeup. Even a gust of wind on the face can cause a spontaneous episode of pain. If Dr. Tanenbaum's diagnosis indicates that you suffer from a nerve pain disorder, he will recommend the appropriate therapy. In the majority of cases, oral medication, topical medication and nerve blocking are the primary means of treatment.

Tension-type headaches

One of the most common reasons patients seek specialized care is for relief of headache pain. Approximately 42 million Americans suffer from chronic headaches, of which tension-type headache is one of the most common forms. Tension-type headaches often result from muscle dysfunction associated with medical problems, TMD, sleep disorders, teeth-grinding and stress. Recent advances in the scientific understanding of tension-type headache physiology have resulted in the development of newer treatment methods, many of which Dr. Tanenbaum offers. These include trigger-point injections, physiotherapy, oral appliances and relaxation techniques. Dr. Tanenbaum can also assist patients who suffer from migraine headaches, which occur three times more frequently in women than in men.

Tooth pain of nondental origin

If you're suffering from tooth pain, it is only natural to think that something is wrong with a tooth. However, tooth pain may be the result of a disorder that refers pain to the teeth. Muscle dysfunction, migraine headaches, heart problems, sinus disease and a variety of cancerous tumors can cause pain that is similar to a classic toothache. The level of pain can be anywhere from low and bothersome to sharp and excruciating. What's more, "phantom" tooth pain may occur after tooth extraction, periodontal surgery, root canal therapy or other dental procedures that usually don't cause persistent pain. While the cause of tooth pain of nondental origin can be difficult to identify, Dr. Tanenbaum's advanced training and experience in orofacial pain and TMD allow him to make a definitive diagnosis. If he determines that you suffer from this condition, Dr. Tanenbaum will develop a treatment plan designed to control the pain.

Snoring and sleep disorders



Poor-quality sleep is very common in the United States. Estimates indicate that 60 million Americans suffer from chronic or intermittent sleep disorders each year. This tossing and turning can present you with a whole host of potentially debilitating conditions, including teeth-grinding, facial pain, morning headaches and daytime fatigue. If you snore, you might suffer from obstructive sleep apnea, a condition that can cause breathing to involuntarily stop for up to 60 seconds straight, 30 times an hour, while sleeping.

Dr. Tanenbaum has made the treatment of sleep problems an integral part of his practice. When you see him for your initial consultation, he will ask you many questions about your condition and what you are experiencing to determine if you might benefit from an advanced oral appliance. This easy-to-use device holds the lower jaw in a forward position during sleep, thereby opening airway space and helping you breathe better through the nose and mouth. And you'll be happy to know that this appliance can be adjusted quickly and easily to effect maximum comfort and effectiveness.

Now is the time

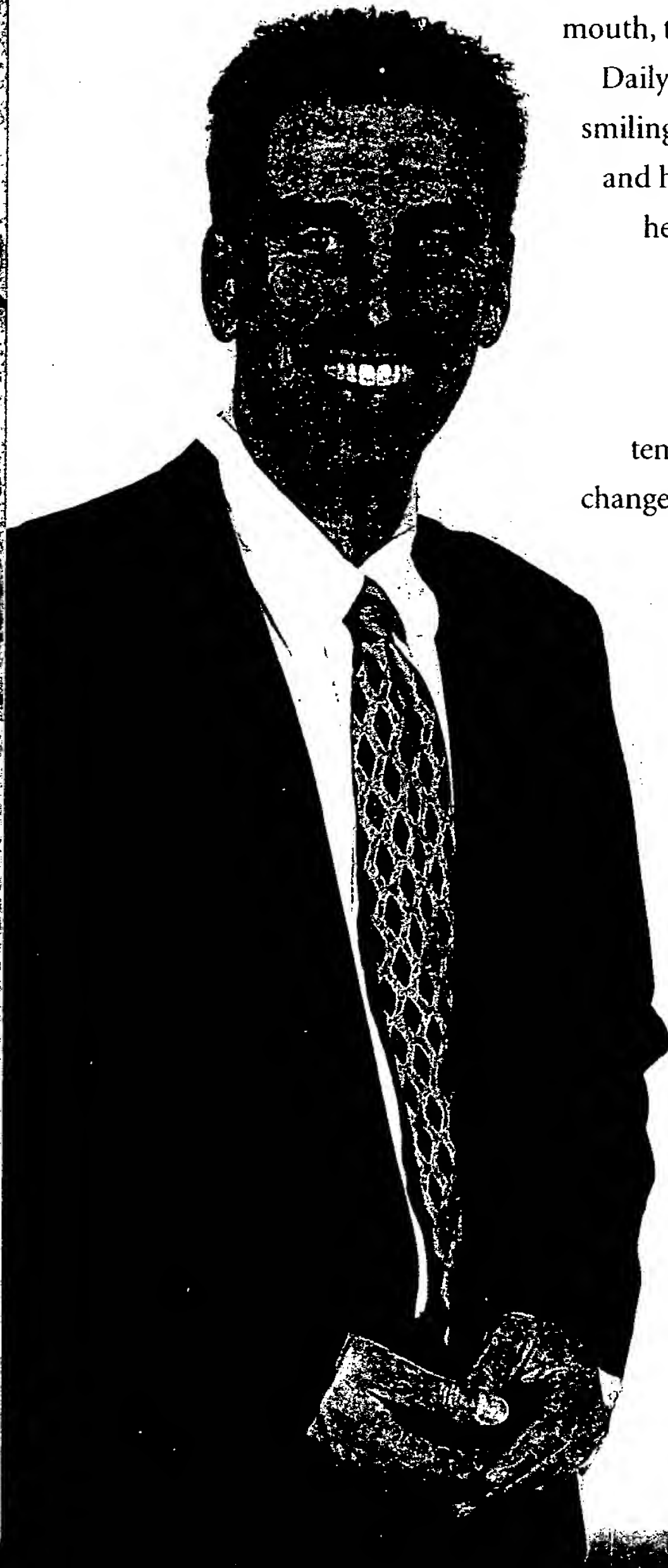
You can probably go another day living with your pain, but there's simply no reason to do so. Dr. Tanenbaum's comprehensive care can change your life dramatically. He is dedicated to giving you the results you need so you can get back to living your life to the fullest. Like eating without pain, relying less on medication, smiling more and renewing the activities and intimacies that you've been missing for months or even years.

Call today to schedule your personal consultation with Dr. Tanenbaum.

***(212) 265-0110 or
(631) 265-3136***

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...Dr. Donald R. Tanenbaum is the solution.



Few parts of your body play as many roles in everyday life as your mouth, teeth, jaws, facial muscles and other related structures.

Daily acts of self-expression — such as talking, laughing or smiling — use these structures to shape the sounds we make and help mold our appearance. They also work together to help you enjoy your favorite foods. As you can see, your orofacial system plays a vital role in some of the most important aspects of your life.

If, however, you suffer from orofacial pain or a temporomandibular disorder (TMD), your whole world changes. These conditions can disrupt nearly every aspect of your daily life. In addition to causing you physical discomfort, orofacial pain and TMD can significantly alter your diet, lead to medication overuse, limit intimacy and ultimately be responsible for emotional suffering and frustration. That's where

Dr. Donald R. Tanenbaum can help.

With his advanced training and over two decades of experience, Dr. Tanenbaum is uniquely qualified to diagnose and treat orofacial pain,

TMD, muscle pain disorders, nerve pain disorders, tension headaches, snoring and more.

Equally important, he will treat you with the compassion, understanding and personal attention that you want and deserve.

Dr. Tanenbaum has helped improve the quality of life of thousands of patients who've suffered from painful orofacial conditions, and he can do the same for you. Please read on to learn more.

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Donald R.
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Providing effective relief from
facial pain for over two decades



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Member: American Academy of Orofacial Pain,
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Over 20 years of experience

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